



09-28-01

A

Express Mail Label No.: EL 076711US

Date of Deposit: September 26, 2001

Attorney Docket No. 15966-546 CON-S22

09/26/01  
J1000 U.S. PTO  
09/966545



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FIRST-NAMED INVENTOR: Fernandes

FOR: NOVEL HUMAN PROTEINS AND POLYNUCLEOTIDES  
ENCODING THEM

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUING PATENT APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

1. This is a request for filing a continuing application under 37 C.F.R. §1.53(b). This application claims priority to USSN 09/544,511 filed April 6, 2000, pending, which claims the benefit of USSN 60/186,592 filed March 3, 2000, abandoned, and USSN 60/128,514 filed April 9, 1999, abandoned.

2. A true copy of the parent application USSN 09/544,511 is enclosed. This application is a total of 153 pages. This application includes:

96 pages of specification (not including claims, abstract, or figures)  
12 pages of claims  
1 page of abstract  
44 sheets of drawings (FIGS. 1-23).

3. A copy of a signed combined Declaration/Power of Attorney submitted in parent application USSN 09/544,511 is included.

4. Applicants request that a copy of the sequence listing in paper and computer readable form in parent application USSN 09/544,511 be made of record in the presently filed continuing application. A request for transferring the sequence is enclosed.

5. The prior application is assigned of record to CuraGen Corporation, 555 Long Wharf Drive, 11<sup>th</sup> Floor, New Haven, CT 06511.

6. An information disclosure statement and the accompanying modified PTO-1449 Forms are enclosed.

7. A preliminary amendment is enclosed.

FIRST-NAMED INVENTOR: **Fernandes**  
Request for New Nonprovisional Application (37 C.F.R. §1.53(b))

8. Small entity status is appropriate for this application.

9. Fees associated with this application are calculated as follows. The filing fee is calculated using the claims that will be pending in the application following entry of the preliminary amendment.

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$710.00
Total Claims (37 C.F.R. 1.16(c))	17	- 20 =	0	\$18.00	\$0
Independent Claims (37 C.F.R. 1.16(b))	1	- 3 =	0	\$80.00	\$0
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))	-0-			\$270.00	
			SUBTOTAL:		\$710.00
			LESS 50% FOR SMALL ENTITY		\$355.00
			<b>TOTAL FEE:</b>		<b>\$355.00</b>

10. A check (#10314) in the amount of \$355.00 is enclosed. The Commissioner is authorized to charge any additional fees due, or credit overpayments, to Deposit Account No. 50-0311, Ref. No. 15966-546 CON-S22 (Cura-46 CON-S22).

11. A return receipt postcard is enclosed.

Respectfully submitted,

Dated: September 26, 2001

*Naomi S. Biswas*  
Ivor R. Elrifi, Reg. No. 39,529  
Naomi S. Biswas, Reg. No. 38,384  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241